

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference C/2AW52/SK/34	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/NL2004/000201	International filing date (day/month/year) 24.03.2004	Priority date (day/month/year) 09.04.2003	
International Patent Classification (IPC) or national classification and IPC H02G15/184, H02G15/103			
Applicant LOVINK-ENERTECH B.V.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> <i>(sent to the applicant and to the International Bureau)</i> a total of sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> <i>(sent to the International Bureau only)</i> a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 			
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input checked="" type="checkbox"/> Box No. VII Certain defects in the International application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application 			
Date of submission of the demand 05.01.2005	Date of completion of this report 29.07.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Lommel, A Telephone No. +31 70 340-		

INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITYInternational application No.
PCT/NL2004/000201**Box No. I Basis of the report**

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements* of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

Description, Pages

1-18 as originally filed

Claims, Numbers

1-40 as originally filed

Drawings, Sheets

18-88 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (specify):
 - any table(s) related to sequence listing (specify):
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (specify):
 - any table(s) related to sequence listing (specify):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims 2,3,6-14,16,19-21,23-28,30,34-39
	No:	Claims 1,4,5,15,17,18,22,29,31-33,40
Inventive step (IS)	Yes:	Claims 2,3,6-12,16,20,21,23-28,30,34-39
	No:	Claims 1,4,5,13-15,17,18,19,22,29,31-33,40
Industrial applicability (IA)	Yes:	Claims 1-40
	No:	Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

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JC20 Rec'd PCT/PTO 07 OCT 2005

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Re-Item V.

1. The following documents are referred to in this communication:

D1: DE 82 19 184 U

D2: DE 43 10 125 A

D3: EP 0 504 035 A

2. The subject-matter of claim 1 does not meet the requirements of Article 33(2) PCT, since document D1 discloses a device for connecting two or more cable ends with a core (10, 10'), an insulating sheath and an earth shield (11, 11'), said device comprising a insertion bush, an insulator arranged around the bush and a conductive layer disposed thereon. Fixing means (6) are provided for fixing the cable ends to the device.

Document D1, thus, contains all the features of claim 1, which, therefore, is not considered to fulfil the criteria as set forth in Article 33(2) PCT.

3. Mutatis mutandis the subject-matter of claim 5 (device for connecting a stripped cable end to an end element), claim 29 (method for mutually connecting at least two cable ends) and claim 31 (method for connecting to an end element one or more cable ends) is disclosed in document D1 as well.

Hence, the subject-matter of claims 5, 29 and 31 is not considered to fulfil the criteria set forth in Article 33(2) PCT.

4. As far as the dependent claims 4, 15, 17, 18, 22, 32, 33 and 40 are concerned, the criteria set forth in Article 33(2) and (3) PCT are not considered to be fulfilled. Cf. D1.

5. In the light of document D2 the same argumentation as in points 2 and 3 is valid; Thus, the subject-matter of current claims 1, 5, 29 and 31 is not considered to fulfil the criteria set forth in Article 33(2) PCT.

6. In the light of document D3, the subject-matter of current claims 1, 5, 13, 14, 19, 29 and 31 is not considered to fulfil the criteria set forth in Article 33(3) PCT, since the use of a fixing means, e.g. shrinkable and heat-shrinkable sleeve, is taught in D3 (cf. column 3, line 35 to column 7, line 9; figures 1-5). A person skilled in cable junction technology would be prompted by the teaching in D3 to solve the problem posed without exercise of inventive skill in accordance with circumstances.

**INTERNATIONAL PRELIMINARY
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Re-Item VII:

1. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
2. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1, D2 and D3 is not mentioned in the description, nor are these documents identified therein.

Re-Item VIII:

The requirements of Article 6 PCT are not met for the following reasons:

1. Claims 1, 4, 5, 29 and 31 are not fully supported by the description resulting in a contradiction between claims and description, and a doubt cast on the scope of protection afforded by the claims. In said claims no mention is made of a field control sheath and a protective sheath, whereas on page 1, in paragraph 1 of the description it is clearly stated that the invention relates to a device for cable ends with a field control sheath and a protective sheath. Thus the requirements of Article 6 PCT are not complied with.
2. In claims 1 and 5 no technical features allow to determine the structure or configuration of the fixing means of the device. It should be specified, which parts of the fixing means are adapted to be connected to which parts of the cable end.
3. The method claims 29 and 31 should be formulated to refer to the use of the corresponding device according to claims 1 and 5 respectively. Moreover, steps of fixing the cable ends to the connecting device have to be specified.
4. The term "end element" stated in claims 5 and 31 is vague and unclear, and, therefore, casts doubt on the scope of protection afforded by said claims.
5. Claim 4 can only refer to claim 1, if the field control layer and the protective layer are defined in claim 1 as well.